

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CASE NO: 13-CV-12424

_____)
ANDRES RAMON MELO,)
)
Plaintiff,)
v.)
)
ROOFDECK LLC, and)
BASEBALL TAVERN, INC.)
)
Defendants.)
_____)

**DEFENDANTS' ASSENTED TO MOTION TO
EXTEND DEADLINE FOR FACT DISCOVERY**

Now come the Defendants, Roofdeck, LLC and Baseball Tavern, Inc., in the above-captioned matter and hereby request the Court to amend the scheduling order dated January 9, 2014 by extending the deadline for fact discovery from June 27, 2014 to July 28, 2014.

As grounds therefore, the Defendants state that they have engaged a consultant/expert in the field of accessibility and compliance planning under the requirements of the Americans with Disabilities Act ("Defendants' Consultant"). Defendants' Consultant inspected the facility at issue in the Plaintiff's Complaint and prepared a report and recommendations for the Defendants. In turn, Plaintiff has also engaged an ADA consultant and has scheduled an inspection of the facility. The Parties have been working in good faith to resolve this matter by way of a settlement agreement.

On May 7, 2014, both Defendants received extensive discovery requests from the Plaintiff. The Parties agree that their efforts may be better directed at this time to the

inspection and settlement discussions, but there is presently a fact discovery deadline of June 27, 2014. If settlement negotiations are not successful both Parties will be required to conduct fact discovery. After the Plaintiff's consultant inspects the facility on June 12, 2014 the parties will have a better understanding of whether the matter can be settled.

For the reasons stated, the Defendants request that the Court grant an extension up to an including June 27, 2014 to respond to Plaintiff's Request for Admissions, Interrogatories and Request for Production of Documents and until July 28, 2014 to complete all fact discovery. This request is reasonable and necessary and not intended to unduly delay this matter.

Respectfully Submitted,

ASSENTED TO BY
The Plaintiff:
ANDRES RAMON MELO
By his attorneys

The Defendant:
ROOFDECK LLC & BASEBALL TAVERN, INC.
By its attorneys,

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Date: June 2, 2014

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CERTIFICATE OF SERVICE

I, Jennifer Dopazo Gilbert, hereby certify that I have, this 3rd day of June 2014, filed this document through the ECF system and served copies of the above document electronically to registered participants and paper copies were sent to any party indicated as a non-registered participant first class mail, postage prepaid.

/s/ Jennifer Dopazo Gilbert
Jennifer Dopazo Gilbert

Date: June 3, 2014